

Minutes – February 12, 2015

The following members of the Board were present at the County Commissioners' Meeting Room, Charles County Government Building, for a regular hearing of the Board of License Commissioners: Pamela Smith, Chairman, William B. Young, Vice Chairman, Guy N. Black, Thomasina Coates and Steve Lowe. Also appearing in support of the Board were M/Cpl. Judith Thompson, Inspector Greg Kiesel, Associate County Attorney Matthew Clagett, and Lisa Bailey, Clerk/Recording Secretary.

1. Upon a motion made, duly seconded and unanimously carried, the following temporary alcoholic beverage license applications were approved:

College of Southern Maryland, by Shaunda Holt, for (4) 1-day temporary alcoholic beverage licenses to sell/serve BWL (Wine only) on the following dates/times, for various classes offered with approx. 16 people expected to attend each event, scheduled from 6:30-9:30 p.m. on: February 13, March 10, April 21, and May 24, 2015.

Charles County Chamber of Commerce, by: Betsy Burian. Appearing on behalf of the applicant was Dee Hancock, for a 1-day temporary alcoholic beverage license to sell/serve BWL on March 5, 2015 from 5:30-7:30 p.m., at Century 21 New Millennium, 3292 Crain Highway, Waldorf, for the March Chamber Mixer with approx. 100 people expected to attend.

Archbishop Neale School, by: Sue A. Greer, Esq. Appearing on behalf of the applicant is Leigh Guy, for a 1-day temporary alcoholic beverage license to sell/serve BWL on March 7, 2015 from 5-8 p.m. at St. Catherine Church Hall, for a fundraiser with approx. 100 people expected to attend.

Indian Head VFD & RS, Inc., by: Dorenda Johnson-Fox, for a 1-day temporary alcoholic beverage license to sell/serve Beer Only on March 21, 2015, from 11 a.m. to 11 p.m., inside Indian Head Volunteer Fire Department for a fundraiser with approx.. 175 people expected to attend.

La Plata Volunteer Fire Department Ladies Auxiliary, by: Katrina Baggarly, President. Appearing on behalf of the applicant was Ruby Barnes, for a 1-day temporary alcoholic beverage license to sell/serve BWL on March 6, 2015 from 5-10 p.m. inside the fire hall event room for a fundraiser with approx.. 50 people expected to attend.

Newburg Volunteer Rescue Squad & Fire Dept, By Andrew Spalding and George Hayden, for a 1-day temporary alcoholic beverage license to sell/serve Beer only on February 21 from Noon-6p.m., for a fundraiser (Sam Grow concert) inside and outside the Rescue Squad, with approx. 100-300 ppl expected. The application was later amended to reflect a rain date.

2. The Board also heard the application of Our Place Waldorf, by: Deanna Gerhart, for two 1-day temporary alcoholic beverage licenses to sell/serve Beer, Wine & Liquor, inside the Capital Clubhouse, on Saturday, April 4, and Saturday, April 25, from 6:30 to 11:30 p.m., for Washington Golden Gloves Championship fights with approximately 800 people expected to attend each event. This matter was recalled from the January hearing, and the applicant presented 3 crowd management certificates; a first floor/ground level diagram; a boxing ring diagram; and written evacuation procedures. The Fire Marshal advised that “We visited the Capitol Clubhouse in preparation of the April Golden Gloves special event. Based on the description of the event site, we have a concern about the estimated capacity and egress arrangement. However, prior to any recommendation from my office, we have asked that planner provide an event diagram with a seating plan for our review and comment.” Based on the application and testimony and evidence presented to the Board, and upon a motion duly made, seconded and unanimously carried, the Board approved the application contingent upon approval by the State Fire Marshal.

3. Joseph J. Wisnewski, Sumit Gupta, Waldorf Cigar Bar and Lounge, LLC, t/a Tinder Box, 2754 Crain Highway, Waldorf, Maryland 20601, for a transfer and reclassification of the alcoholic beverage license (from a Class B – BWL (on sale only) TO a Class B/T (Tavern) – BWL (on sale only)) issued to Jeffrey Lustig, Joseph J. Wisnewski, Von Lustig, Inc., t/a Tinder Box, 2754 Crain Highway, Waldorf, Maryland 20601. Counsel to the applicant was Bob Kim, Esquire. Testimony was presented by the applicants as to the facts contained in the application, including evidence that Mr. Wisnewski will continue to serve as resident licensee under the new company. The applicants anticipate no change in operation of the premises. The Board cautioned the licensees as to compliance with alcoholic beverage laws and the Board’s rules and regulations and recommended alcohol management certification for those employees involved in the sales/service of alcoholic beverages. The applicants further testified that they anticipate no formal entertainment at the premises. The Board took the application under advisement pending adjudication of a Show Cause Order to be heard before the Board on March 12, 2015.

4. Yuk Chan Poon, Yeung Poon Luu, Sky Bar Corporation, t/a Sky Bar, 2290 Old Washington Road, Waldorf, Maryland 20601, for a transfer and reclassification of the Class B – Beer, Wine & Liquor (on sale only) alcoholic beverage license to a Class B/T (Tavern) – Beer, Wine & Liquor (on sale only) alcoholic beverage license issued to Yuk Chu Chan Poon, Yeung Ling Poon, Getaway Lounge, Inc., t/a Get Away Lounge, 2290 Old Washington Road, Waldorf, Maryland 20601. Counsel to the applicant was Nathan Chapman, Esquire. Testimony was presented by the applicants as to the facts contained in the application, including evidence that the applicants have held the current alcoholic beverage license since 2008, and that this application only contemplates the change of company and trade name - the licensees will remain the same and no changes of use is anticipated. The applicants also testified that they occasionally host live entertainment events at the licensed premises. The Board cautioned the licensees as to compliance with alcoholic beverage laws and the Board’s rules and regulations and recommended alcohol management certification for those employees involved in the sales/service of alcoholic beverages. Upon consideration of the testimony and evidence presented, and upon a motion duly made, seconded and unanimously carried, the Board approved the transfer/reclassification contingent upon presentation of a new Health Permit, Use & Occupancy Permit, and compliance with State Fire Marshal directives, along with payment of the appropriate transfer fee.

5. John P. Beckman, Brett P. Rainwater, Luke H. Mudd, Famous Dave's Ribs of Maryland, Inc., t/a Famous Dave's, 3046 Waldorf Market Place, Waldorf, MD 20603, appeared for a transfer of the Class B – Beer, Wine & Liquor (on sale only) BLX Luxury Restaurant alcoholic beverage license from Christopher M. O'Donnell, John E. Spoon, Luke H. Mudd, Famous Dave's Ribs of Maryland, Inc., t/a Famous Dave's, 3046 Waldorf Market Place, Waldorf, MD 20603. Counsel to the applicant was Linda Carter, Esq. Testimony was presented by the applicants as to the facts contained in the application, including evidence that this transfer contemplates the substitution of two officers. No further change to the operation of the business is anticipated. Also appearing as a witness to the applicants was James Lenchner, Regional Manager/Area Director. The Board cautioned the licensees as to compliance with alcoholic beverage laws and the Board's rules and regulations and recommended alcohol management certification for those employees involved in the sales/service of alcoholic beverages. Upon consideration of the testimony and evidence presented and upon a motion duly made, seconded and unanimously carried, the Board approved the transfer contingent upon payment of the appropriate transfer fee.

6. Show Cause in the matter of the Class B – Beer, Wine & Liquor (on sale only) alcoholic beverage license issued to Liyin Zheng a/k/a Liyin Cheng, Great Wall of Waldorf Cheng Corporation, Inc., t/a Joe's Noodle House, 1302 Smallwood Drive, Waldorf, Maryland 20603, alleging: the licensee made a material false statement, and practiced fraud in connection with the filing of the 2013 and 2014 Alcoholic Beverage License Renewal Applications in violation of Article 2B, §§10-301, 10-202; the licensee failed to report any changes that would alter pertinent information in the files of the Liquor Board, in violation of Rule 3.105 of the Rules and Regulations of the Board of License Commissioners; and that the licensee has vacated the premises located at 1302 Smallwood Drive, Waldorf, Maryland 20603, for more than 10 consecutive days and is no longer an accommodation to the public, in violation of Article 2B, 10-504 and Rule 3.106 of the Rules and Regulations of the Board of License Commissioners.

The Clerk advised that the Licensee had turned-in the alcoholic beverage license on February 2, 2015. Upon a motion duly made, seconded and unanimously carried, the Board withdrew the above-referenced Show Cause Order.

7. The Board approved a written request on behalf of Singh & Singh, LLC trading as Absher Liquors to remove Celeste Cunningham as a member of the limited liability company. Manpreet Kaur meets the residency requirements and will remain as the sole officer/member and licensee on behalf of Singh & Singh, LLC.

8. In response to a legislative proposal from Angela Sherard, Liaison, Westlake Advocates, to amend Article 2B, §9-202 to increase the distance from 500 ft. to 1,000 ft. from which the Board of License Commissioners may issue ANY alcoholic beverage license "... from the property line of any school accredited by the State Board of Education," M/Cpl. Judith Thompson presented a Memorandum and attachments detailing the current density of licenses, and maps indicating 1,000 foot radius around schools, and indicating licensed establishments, for the Board's consideration at a later hearing.

9. The clerk provided, and the Board approved the final mock-up indicating the approved changes to the Board's Rules and Regulations; an amended Alcoholic Beverage License Renewal form; and an amended 2015 Alcoholic Beverage License.

10. M/Cpl. Judith Thompson advised that thirty-nine compliance checks were conducted since the last hearing, with the following 23 licensed establishments having passed the compliance check.

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| 1. Red Top, Faulkner | 12. Asiana House of Subs, Waldorf |
| 2. Lady's Liquors, La Plata (Drive-In check) | 13. Vino's Liquors, La Plata (Recheck) |
| 3. Johnny's Inn, Pisgah | 14. Murphy's Store, La Plata (Drive-In check) (Recheck) |
| 4. Grinder's Liquors, Marbury | 15. Portside Liquors, Bryan's Road (Drive-In check) (Recheck) |
| 5. Pisgah General Store, Pisgah | 16. Bryans Road Liquors, Bryans Road |
| 6. Buddy's Liquors, Indian Head (Drive-In check) | 17. Mama Stella's Ristorante Italian, Bryans Road (Recheck) |
| 7. Mutt's Market, Indian Head (Drive-In check) | 18. The Wine Shoppe, Waldorf |
| 8. Joe's Groceries & Liquors, Pomfret | 19. Pinefield Liquors, Waldorf (Drive-In check) (Recheck) |
| 9. Jimmie's Paddock, White Plains (Drive-In check) | 20. Phil's Place, Hughesville (Recheck) |
| 10. Kodori Korean Japanese Restaurant, Waldorf | 21. Red Lobster, Waldorf (Recheck) |
| 11. La Tolteca Mexican Restaurant, Waldorf | 22. Outback Steakhouse, Waldorf |
| | 23. Thai Flavor Restaurant, Waldorf |

11. Upon a motion duly made, seconded and unanimously carried, the Board approved the January 8, 2015 Minutes as presented.